

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**MARC THOMIS and  
CHARLES ROBERTS**

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MASS.  
NOV 18 P 4:53  
2005

<b>Plaintiffs,</b>	)	
	)	
v.	)	<b>Civil Action No.:</b>
	)	<b>1:05-CV-11812-WGY</b>
<b>BRAZIL AMAZON TRADING, INC.,</b>	)	
<b>BRAZIL AMAZON RESOURCES, INC.,</b>	)	
<b>AND BRUNILDA OBUHOSKY,</b>	)	
<b>Individually</b>	)	
	)	
	)	
<b>Defendants.</b>	)	
	)	

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**DEFENDANTS' OPPOSITION TO PLAINTIFFS' REQUEST  
FOR ENTRY OF DEFAULT PURSUANT TO FED. R. CIV. P. 55(a)**

Defendants Brazil Amazon Trading, Inc., Brazil Amazon Resources, Inc. and Brunilda Obuhosky (collectively “Defendants”) hereby oppose Plaintiffs’ Request for Entry of Default Pursuant to Fed. R. Civ. P. 55(a). As grounds for this Opposition, Defendants state as follows:

1. The Court’s Order of October 18, 2005 denied Defendants’ Motion for Stay and to Compel Arbitration “without prejudice to its renewal upon compliance with the Local Rules.”
2. Defendants were out of the Country from late October through early November and, therefore, did not receive the Court’s Order dated October 18<sup>th</sup> until just recently. On November 17, 2005, Defendants retained Alexander Furey, Esq. of Furey & Associates LLC to represent it in the above-captioned dispute. The next day, on

November 18, 2005, Alexander Furey, Esq. filed a Notice of Appearance and a Renewed Motion for Stay and to Compel Arbitration.

3. Given that Defendants have now complied with the Local Rules and have renewed their Motion for Stay and to Compel Arbitration, Plaintiffs Request for Entry of Default Pursuant to Fed. R. Civ. P. 55(a) should be denied.

WHEREFORE, for the reasons stated above, Plaintiffs' Request for Entry of Default Pursuant to Fed. R. Civ. P. 55(a) should be DENIED.

Respectfully submitted by Defendants,

**BRAZIL AMAZON TRADING, INC.,  
BRAZIL AMAZON RESOURCES, INC.  
and BRUNILDA OBUHOSKY, Individually**

By their attorney,



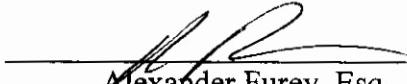
Alexander Furey, Esq., BBO#634157  
Furey & Associates, LLC  
28 State Street, Suite 1100  
Boston, MA 02109  
Tel. 617-573-5114  
Fax 617-573-5115

DATED: November 18, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of *Defendants' Opposition to Plaintiffs' Request for Entry of Default Pursuant to Fed. R. Civ. P. 55(a)* was served by U.S. Mail this 18<sup>th</sup> day of November, 2005 upon the following:

Richard Thomas Davies, Esq.  
26 Turtle Cove Road  
Sandwich, Massachusetts 02537

  
Alexander Furey, Esq.